

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES WILLIAM SCHNEIDER,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 09-30 Erie
)	
RAYMOND J. SOBINA, et al.,)	
Defendants.)	

MEMORANDUM ORDER

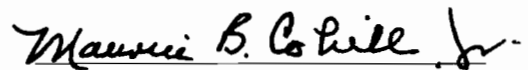
This Petition for Writ of Habeas Corpus was received by the Clerk of Court on February 11, 2009, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. ' 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge issued a report and recommendation, filed on June 8, 2011 (ECF No. 16), recommending that the Petition for Writ of Habeas Corpus be dismissed for lack of jurisdiction and that a certificate of appealability be denied. The parties were allowed until February 27, 2011 to file objections. No Objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, we adopt Magistrate Judge Baxter's June 8, 2011 Report and Recommendation as the Opinion of the Court.

AND NOW, this 19th day of September, 2011, it is HEREBY ORDERED, ADJUDGED and DECREED that the petitioner's Petition for Writ of Habeas Corpus be and hereby is DISMISSED.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

The Report and Recommendation dated June 8, 2011 (ECF No. 16) is adopted as the Opinion of the Court.


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Counsel of Record

James William Schneider, pro se

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Susan Paradise Baxter

U.S. Magistrate Judge